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Date: December 8, 2004
To: United States Patent & Trademark Office
Group Art Unit 2800
Fax: 703-872-9306
Phone: 571-272-2800
Re: Serial No.: 10/028,437
Our Docket No.: 15436.437.3
Sender: Eric L. Maschoff

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PATENT APPLICATION

Docket No. 15436.437.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

James A. Cox, et al.

Serial No.:

10/028,437

) Art Unit

Filed:

December 28, 2001

) 2828

For:

 VERTICAL CAVITY SURFACE
 EMITTING LASER HAVING
 A GAIN GUIDE APERTURE
 INTERIOR TO AN OXIDE
 CONFINEMENT LAYER

Confirmation No.:

4433

Customer No.:

022913

Examiner:

Hung T. Vy

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment for entry in the above-identified application.

X To render the transmitted Amendment and Response to Office Action timely filed, enclosed are the following:

X Pctition for Three-Month Extension of Time under 37 CFR 1.17; and



R. PARRISH FREEMAN, JR.
 PETER F. MALIN, JR.
 L. REX STARK, PH.D.
 WILLIAM R. RUTHER
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X PTO-2038 Credit Card Payment Form in the amount of \$1020.00 to cover the fee for the extension of time.

X Terminal Disclaimer.

X A Certificate of Facsimile Transmission.

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Total =	MINUS 24	= 0	X		X	0.00
Independent =	MINUS 3	= 0	x		X	0.00
1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+=		+=	
			TOTAL		TOTAL	0.00

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. Triplicate copies of this sheet are attached.

X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

Dated this 8th day of December, 2004.

Respectfully submitted,



Eric L. Maschoff
Registration No. 36,596
Attorneys for Applicant
Customer No. 022913

DEC 08 2004

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PATENT APPLICATION
Docket: 15436.437.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
	James A. Cox, et al.)
Serial No.:	10/028,437) Art Unit
) 2828
Filed:	December 28, 2001)
For:	VERTICAL CAVITY SURFACE EMITTING LASER HAVING A GAIN GUIDE APERTURE INTERIOR TO AN OXIDE CONFINEMENT LAYER)
Confirmation No.:	4433)
Customer No.:	022913)
Examiner:	Hung T. Vy)

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this paper is being transmitted via facsimile at facsimile number 801-328-1707 to the Patent and Trademark Office to phone no. 703-872-9306 (Formal Fax No.) on the date shown below.

- Transmittal Letter (2 pages)
- Petition for Three-Month Extension (2 pages)
- Credit Card Payment Form in the amount of \$1020.00
- Amendment "A" (10 pages)
- Terminal Disclaimer (3 pages)

Dated this 8th day of December, 2004.

Respectfully submitted,



Eric L. Maschoff
Attorney for Applicant
Registration No. 36,596
Customer No. 022913

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Examiner:	Hung T. Vy)

AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action mailed June 8, 2004 (the "Office Action"), please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.